

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARIO DARNELL SMITH,)	
)	
Plaintiff,)	
)	
v.)	No. 4:10-CV-1790-CDP
)	
ST. LOUIS COUNTY POLICE)	
DEPARTMENT, et al.,)	
)	
Defendants.)	

ORDER AND MEMORANDUM

This matter is before the Court upon the motion of Mario Darnell Smith for leave to commence this action without payment of the required filing fee [Doc. #7]. See 28 U.S.C. § 1915(a).

Plaintiff has submitted a partially-completed financial affidavit CJA Form 23 in support of his application for in forma pauperis status. Plaintiff has failed to provide any information pertaining to "Other Income" or "Property." As such, the Court is unable to determine, at this time, if he is financially unable to pay any portion of the filing fee. See 28 U.S.C. § 1915(a), Local Rule 2.05(A).

In accordance with the foregoing,

IT IS HEREBY ORDERED that the Clerk of Court shall

provide plaintiff with CJA Form 23 (financial affidavit).

IT IS FURTHER ORDERED that plaintiff shall have thirty (30) days from the date of this Order to pay the statutory filing fee of \$350.00, or to submit a fully completed CJA Form 23 (financial affidavit).

IT IS FURTHER ORDERED that if plaintiff fails to pay the filing fee or to submit a fully completed CJA Form 23 within thirty days, the case shall be dismissed, without prejudice.

IT IS FURTHER ORDERED that if plaintiff submits a fully completed CJA Form 23 within thirty days, the Clerk of Court shall cause this case to be resubmitted to the undersigned for review under 28 U.S.C. § 1915(a), (d).

Dated this 4th day of January, 2011.


UNITED STATES DISTRICT JUDGE